

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Bestop, Inc.,

Plaintiffs,

v.

Tuffy Security Products, Inc.,

Defendant.

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Case No. 13-10759

Honorable Nancy G. Edmunds

**ORDER REJECTING DEFENDANT'S OBJECTIONS [141]  
AND ADOPTING MAGISTRATE JUDGE'S ORDER [138]**

This matter comes before the Court on Defendant's objections to the Magistrate Judge's June 23, 2015 order regarding Defendant's motion for a protective order and Plaintiff's motion for contempt and to compel depositions. (Dkt. 138.) Defendant objects to the portion of the order where the Magistrate Judge denied its motion to strike Plaintiff's amended infringement contentions. (*Id.* at 3-7.) Although the Court referred this matter to the Magistrate Judge as a non-dispositive motion, there is a possibility that a motion to strike infringement contentions is dispositive because, as the Magistrate Judge noted, granting the motion "would essentially be a partial dismissal of plaintiff's case." (*Id.* at 7.) Accordingly, the Court has reviewed Plaintiff's objections and the Magistrate Judge's order under both the clearly erroneous or contrary to law standard set by Federal Rule of Civil Procedure 72(a) and *de novo* as set by Federal Rule of Civil Procedure 72(b). Under either standard of review, Defendant has failed to show that the Magistrate Judge made any error in denying its motion to strike Plaintiff's amendment infringement contentions.

The Court therefore REJECTS Defendant's objections and ADOPTS the Magistrate Judge's order. Defendant's motion to strike Plaintiff's amended infringement contentions is DENIED.

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: August 25, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 25, 2015, by electronic and/or ordinary mail.

s/Carol J. Bethel  
Case Manager